

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JANET MOKRIS,

Plaintiff,

v.

Case No: 2:20-cv-34-JES-MRM

UNITED STATES OF AMERICA,

Defendant.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #40), filed October 7, 2021, recommending that Plaintiff's Motion for Judicial Notice (Doc. #36) be denied without prejudice. No objections have been filed and the time to do so has expired.<sup>1</sup>

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the Magistrate Judge's Report and Recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in

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<sup>1</sup> Both parties are represented by counsel.

whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

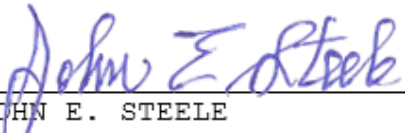
After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the Magistrate Judge.

Accordingly, it is now

**ORDERED:**

1. The Report and Recommendation (Doc. #40) is hereby **adopted** and the findings incorporated herein.
2. Plaintiff's Motion for Judicial Notice (Doc. #36) is **DENIED without prejudice.**

**DONE and ORDERED** at Fort Myers, Florida, this 25th day of October, 2021.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Counsel of Record